

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JEVON EVERETT,)	
)	
Plaintiff,)	
)	Civil Action No. 10-561
v.)	
)	
CORRECTIONAL OFFICER NORT,)	
CORRECTIONAL OFFICER PENDEL,)	
SERGEANT MOORE, SERGEANT)	
RUBEL, SERGEANT KENGERSKI,)	
and ALLEGHENY COUNTY JAIL,)	
)	
Defendant.)	

**ORDER OF THE COURT RE: DEFENDANTS' MOTION IN LIMINE
AND PARTIES' PROPOSED EXHIBITS (DOC. NOS. 125, 131, 132)**

AND NOW, this 4th day of February, 2014, after consideration of the Parties' proposed exhibits and objections thereto contained in Defendants' Motion in Limine (Doc. No. 132), IT IS HEREBY ORDERED THAT:

1. Defendants' Motion in Limine (Doc. No. 132) is **GRANTED IN PART AND DENIED IN PART**. The following categories of Plaintiff's proposed exhibits and the corresponding exhibits are not admissible at trial: affidavits, newspaper articles, and law review articles. Interrogatories shall be excluded except for possible use on cross-examination for impeachment;
2. Plaintiff shall be permitted to present all proposed exhibits authored by the Allegheny Correctional Health Service (Confidential Medical Records, Supplemental Reproduced Record, Policy Manual Code: C, and Stipulation of Medical Records and Protective Order) and the Allegheny Bureau of Corrections (Listed Policies and Directives and Inmate Handbook) at trial;

3. Plaintiff's proposed exhibit, "production of documents" re. William L. Emerick, is similar in nature to affidavits and interrogatories and shall be excluded pursuant to the Federal Rules of Evidence;
4. Plaintiff's proposed exhibit, United States Magistrate Judge Cynthia Reed Eddy's Report and Recommendation, shall be excluded because Judge Eddy's evaluation of the claims that were before her is irrelevant to the jury's determination of Plaintiff's claim and may be unduly prejudicial; and
5. Defendants' proposed exhibits, Plaintiff's Complaint (Doc. No. 3), and Amended Complaint (Doc. No. 51), shall be excluded, as both are irrelevant to the jury's determination of Plaintiff's claim.

s/ Arthur J. Schwab
Arthur J. Schwab
United States District Judge

cc: All Registered ECF Counsel and Parties

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